10 Ma

Sir *John Gonſon's*

Three CHARGES

TO SEVERAL

GRAND JURIES,

VIZ.

I. To the GRAND JURY of the City and Liberty of *Weſtminſter*, &c. at the General Quarter-Seſſions of the Peace, held the Twenty fourth Day of *April*, 1728.

II. To the GRAND JURY of the ſaid City and Liberty, at the General Quarter-Seſſions of the Peace, held the eleventh Day of *July*, 1728.

III. To the GRAND JURY of the *Royalty* of the *Tower* of *London*, and the Liberties and Precincts thereof, at the General Quarter-Seſſions of the Peace, held for the ſaid *Royalty*, the ſixteenth Day of *July*, 1728.

Printed at the Deſire of the Juſtices of the Peace *in both the ſaid Commiſſions, and of the reſpective* GRAND JURIES.

The SECOND EDITION.

LONDON:

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MVSEVM
BRITAN
NICVM

THE CHARGE OF Sir *John Gonſon* Knt. TO THE GRAND JURY OF THE *CITY and LIBERTY of* WESTMINSTER, &c.

At the General Quarter-Seſſions of the Peace, held the Twenty fourth Day of *April*, 1728, in WESTMINSTER-HALL.

Printed at the Deſire of the Juſtices of the Peace *for the ſaid City and Liberty, and of the* Grand Jury.

Printed by CHARLES ACKERS. MDCCXXVIII.

Civitas, Burgus, & Villa Weſtm, *in Com.* Middx. } ſſ. *Ad Generalem Quarterialem Seſſionem Pacis Domini Regis tent' apud* Weſtm. *pro Libertat' Decani & Capituli Eccleſiæ Collegiat. beati* Petri Weſtm. *Civit', Burgi, & Villæ* Weſtm. *in Comitat.* Middx. *& Sancti* Martini le Grand, London' *Die* Mercur. *ſcilicet viceſimo quarto Die* Aprilis, *Anno Regni Domini* Georgii *Secundi, Dei Gratiâ, nunc Regis* Magnæ Britanniæ, *&c. primo.*

HIS Majeſty's Juſtices of the Peace for this City and Liberty of *Weſtminſter*, now aſſembled at this General Quarter-Seſſion of the Peace, held for the ſaid City and Liberty, being of the Opinion that the Charge this Day given by Sir *John Gonſon* the Chairman, (in the Abſence of the Right Honourable *John* Lord *Delawar* the preſent Chairman of this Seſſion) to the Grand Jury, ſworn to enquire for our Sovereign Lord the King, for the Body of this City and Liberty; and to the High and Petty Conſtables of the ſame, is *a very Loyal, Learned, Ingenious, Excellent, and Uſeful Charge, highly tending to the Service of His Majeſty, and His Adminiſtration and Government:* Have unanimouſly agreed and reſolved, that the Thanks of this Court be, and the ſame are hereby given, to the ſaid Sir *John Gonſon* for his ſaid Charge; and deſire, that he will be pleaſed to cauſe the ſame to be Printed and Publiſhed, for the better Information of the Inhabitants and publick Officers of this City and Liberty, in the Performance of their reſpective Duties.

Per Curiam

MIDDLETON.

TO

Sir *John Gonſon* Knt.

ON

Reading his CHARGES to the Grand Juries, &c.

TOO long has Vice and all its ſilken Joys
Employ'd the *Muſe*; too long the *Muſe* has hung
Delight upon her *Syren* Charms, and ſooth'd
The thoughtleſs Soul to Ruin: Virtue breaks
Th' enchanted Union, and diſſolves the Spell;

Inſpires a nobler Strain, and ſounds aloud
The ſtrongeſt Blaſt of Fame: To *GONSON*'s
Praiſe
The *Muſe* attunes her Voice: Ye elder Bards!
Ye lov'd Admirers of the beauteous *Maid!*
Attend the pleaſing Lay, and, to the Bound
Of Earth and Time, join all to propagate
The grateful Song: For lo! in Juſtice, Truth,
In Virtue's Cauſe he pleads, fam'd *GON-*
SON pleads
And all is ſilence round: A thouſand Ears
Are raptur'd while he talks, a thouſand Eyes
Are faſt'ned on his Form; in ev'ry Heart
Conviction reigns, and ev'ry Paſſion ebbs
Before his Voice away: Of Reaſon, Pow'r,
Of Liberty, of Government he ſpeaks,
And all he ſpeaks is good. The Subject hears
His Duty to his *Prince* explain'd, the Laws

That

That bind Society, and puniſh Crimes
With Death: Each vagrant Mind is gently warn'd
T' avoid the fatal Doom; each Patriot's urg'd
To ſearch out Guilt, and purge the Land of Vice.
Religion's Advocates with Joy attend
His Labours in her Cauſe, with gratitude
Confeſs his Precepts, and his Practice One.
So, ſhould an Angel from the Skies deſcend,
They cry with tranſport; ſo would he inſpire
Celeſtial Truths, and with but equal Zeal,
With like Succeſs reform Mankind. Around
Stern *CATO*'s Shade, *ARISTIDES*, and all
The Worthies of the antique World, glide ſoft,
And ſee, with Wonder, Virtue like their own
Inflame a Modern's Breaſt, and modern Minds
Delighted with his Lore: In Days to come
They whiſper on the Breeze, in Days to come
Thy Fame, O *GONSON!* ſhall with ours extend
O'er

O'er all the habitable Globe, and laſt
'Till Nature ſinks amid the gen'ral Blaze;
With us thy Ghoſt ſhall take her glorious Seat,
And deal out Laws thro' all the Vaſt of Heav'n:
With us, converſing, thine Eternity
Shall roll, with ours thy Name ſhall ſhine, above
With ours thy Virtues be ador'd below.

J. Ralph.

To the WORSHIPEUL

Sir *John Gonſon* Knt.

CHAIRMAN of the Quarter-Seſſions, &c. held for the City and Liberty of *Weſtminſter*, the Twenty fourth Day of *April*, 1728.

WE *the Grand Jury, ſworn to enquire for the Body of the City and Liberty of* Weſtminſter, *having received a moſt Learned and Excellent Charge, from the Chair, given by your Worſhip, Do hereby return you our moſt ſincere and humble Thanks for the ſame; and pray, that you*

will be pleaſed, for the publick Good, to cauſe the ſame to be Printed.

William Atkinſon.
John Jones.
John Iſmonger.
E. Salisbury.
William Houſe.
Gray Sambach.
John Henſhaw.
Stephen Sauge'.
John Clayton.
Thomas Turnor.
John Ferguſon.
Richard Mitchell.
Philip Gardiner.
Jonathan Healey.
William Taylor.
Hem. Lockton.
John Leech.
Th. Cleaver.
John Andrews.
Joſ. Morris.
Nathanael Lee.

THE

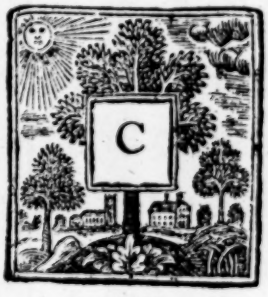
THE

CHARGE

OF

Sir *John Gonſon* Knt.

Gentlemen of the Grand Jury,



CIVIL Government was inſtituted for the Preſervation and Advancement of Men's Civil Intereſts, and for the better Security of their Lives, Liberties, and Properties.

MEN ſoon became ſenſible of the Neceſſity of Civil Government for

theſe Ends, from the Inconveniencies they ſuffer'd by a private Life, independent on each other: For in ſuch a State, unleſs every Man would keep ſtrictly to the Rules of Juſtice and Equity, which the Gravity of human Nature, and long Experience forbid us ever to hope for, the Weak would become a Prey to the Strong; every one would be at the Mercy of him, that was mightier than himſelf, and the World would be full of Fraud and Injuſtice, Cruelty and Oppreſſion.

No ſooner did Mankind begin to multiply, and to contract new Relations and new Duties, but their Intereſts interfered with one another, and gave Riſe to thoſe Wrongs and Injuries, which daily increas'd in the World, and quickly moved Men to enter into Societies, and form themſelves into regular Governments, for the mutual Security and Defence of their Perſons and Properties, both againſt Violence from Abroad, and Rapine and Fraud at Home.

For theſe Ends and Purpoſes Societies were at firſt erected, and grounded upon the mutual Compact and Agreement of thoſe, who enter'd into them, to ſtand by, and aſſiſt each other, both againſt Foreign Violence, and Domeſtick Wrongs. To repel the firſt of theſe, there muſt be external Force and Strength, which conſiſt in Arms, Riches, and Multitude of Hands; the Remedy of the other lies in wiſe and wholeſom Laws, agreed upon by the Society; and the Care of both is, by common Conſent, committed to the Civil Magiſtrate, who is moreover arm'd with the Force and Strength of all his Subjects, in order to put thoſe Laws in Execution.

From this brief Account of the Nature and Deſign of Civil Government, it is obvious, That if ever the true Ends of Government are anſwered, it is under our moſt happy Conſtitution, which is a Mixt Limited Monarchy, where the Prerogatives of the Crown, and the Liberties of the People are ſo inter-

interwoven, that the Rights reſerved to the People tend to render the King honourable and great; and the Prerogatives of the Crown are in order to the Protection and Safety of the People. Every Subject of *Great-Britain* has a fix'd fundamental Right born with him, as to the Freedom of his Perſon, and Property in his Eſtate, which he can't be deprived of, but either by his own Conſent, or for ſome Crime, for which the Law has impoſed ſuch a Penalty or Forfeiture. Our Liberties and Privileges are ſo great, that the Subjects in other Nations would think themſelves Princes, if they might enjoy them; and are ſuch, as the greateſt Princes in Foreign Parts, who are not abſolute and independent Sovereigns, can ſcarcely pretend to be Poſſeſſors of. In a Word, We enjoy Privileges unknown to the ancient *Greeks* or *Romans*, and are the Nobleſt, I may ſay almoſt, the only Remains of the *Ancient Northern Liberty*.

And next to that of having a Share in the Legiſlature, it is one of the moſt valuable Parts of our Conſtitution, that no Man can be convicted, or attainted of any Crime, before two Juries paſs upon him, of at leaſt Twenty four Perſons; the one a Grand Jury, to preſent the Offence for Tryal; and the other a Petit Jury, to try the Truth of that Preſentment: The Grand Jury coming from all Parts of the County, City, or Liberty, for which they ſerve, and the other, *viz.* the Petit Jury, from the very Neighbourhood where the Offence was committed; who, according to the Evidence given them, determine thereupon, and bring in their Verdict. And that the Evidence may be the clearer, and the better to be depended upon, written Depoſitions are not admitted, but upon mere Neceſſity: The Witneſſes being to appear perſonally, and to be examined *Vivâ Voce*; a Method of Coming at the Truth, peculiar to this Nation, no other

other having, or practiſing the like. For look abroad into Foreign Countries, almoſt where you will, you'll find the Subjects under ſuch Laws, as render their Lives, Liberties, and Eſtates precarious, and liable to be diſpos'd of at the Diſcretion of Strangers appointed to be their Judges, generally mercenary, and Creatures of the Prerogative; ſometimes Malicious and Oppreſſive, and too often Partial and Corrupt: Or ſuppoſe them ever ſo Juſt and Upright, yet ſtill has the Subject no Security againſt Subornations, and the Attacks of falſe and malicious Witneſſes: And often, when there is no ſufficient Evidence, upon Suſpicion only, they are obnoxious to the Tortures of the Rack, which may make an innocent Man confeſs himſelf guilty, merely to get out of preſent Pain; and then, with ſeeming Juſtice, he is executed. Or if he doth with invincible Courage endure the Queſtion (as they call thoſe Torments) yet he comes off with dis-

disjointed Bones, and ſuch Weakneſs, as renders his Life a Burthen to him ever after.

Deservedly therefore is this Tryal by Juries a Part of the Great Charter, and ever rank'd amongſt the choiceſt of our Fundamental Laws, which whoſoever ſhall go about to ſuppreſs, or craftily undermine, by Overawing or Corrupting Juries, and thereby Rendering them only a Formality, breaks aſunder the Fences of our Government, and is an Enemy to his King and Country; for which Reaſon, our Parliaments have always been moſt zealous for preſerving this Great Jewel of *Liberty*, no one Privilege beſides having been ſo often remembred there. One Inſtance thereof (amongſt many others) was the Caſe of the Lord Chief Juſtice Keyling, who uſurping an Arbitrary Power over a Grand Jury of *Somerſetſhire*, by Commanding them to find a Bill of Indictment for Murder, for which they ſaw no Evidence; and upon their Refuſal, he threatned and fined

them: But upon the Complaint of Sir HUGH WINDHAM, their Foreman, to the Parliament (tho' a Parliament in the Reign of King CHARLES the Second, and much attached to the Court) yet even they could not bear ſuch a bold Invaſion of *Engliſh* Liberty; The Commons brought that Chief Juſtice to their Bar, and there made him acknowledge his Faults.

Journals of the Houſe of Commons, 11 & 13 *of* Decemb. 1667.

WHEN the one and the other Jury act as they ought, with Courage, Diligence, and Impartiality, we ſhall have juſt Reaſon, with the wiſe Lord Chancellor FORTESCUE, to celebrate that Law that inſtituted them, and to congratulate with our Countrymen the Happineſs we enjoy, ſince the meaneſt amongſt us is protected by the Laws of his Country in as ſecure a Manner as the greateſt.

Fort. *de Laud. Leg. Ang.* Cap. 26.

AND what compleats our Happineſs is, that we may now take the moſt delightful View of our Excellent Conſtitution

ſtitution and Laws; not as in former Reigns, ſtruggling with Arbitrary Power and Tyranny, but as moſt ſafe and ſecure, under the beſt of Princes, his *Sacred Majeſty*, our moſt Gracious Sovereign; whoſe Nature, Inclination, and Religion, all conſpire to make him truly the Father of his People, delighting in their Happineſs as in his own, and who makes the Laws of the Land the Rule of his Government. With ſuch a King we are bleſt in a Queen, the Delight of the Nation, and the Glory of her Sex; whoſe known Piety is made ſtill more exemplary by being joined with a fine Underſtanding, cultivated by the Study of the *Belles Lettres*, and improved with all uſeful Knowledge: We have alſo a numerous Royal Iſſue, to be form'd for the Support of our Religion and Liberties by theſe bright Examples; ſo that all the ineſtimable Bleſſings, which we enjoy under his Majeſty's Reign, are likely to be entail'd down to future Ages, under a laſting Succeſſion of

Proteſtant Princes. And may there never want one of this Royal Progeny to Rule over theſe Nations, 'till Time ſhall be no more.

GENTLEMEN,

IT is for the Preſervation and Support of this our excellent Government, by the due Execution of the Laws, that we are now met together: And tho' the Court doth not doubt of your Ability to perform your Duty as *Grand Jury Men*; yet being ſworn (amongſt other Things) to enquire of ſuch Matters, as ſhall be given you in Charge, it has always been the Cuſtom, and therefore now proper to inform you, what Crimes and Offences you ought to enquire of, which otherwiſe perhaps might not occur to your Memory.

IN the firſt Place, I ſhall recommend to your Enquiry all ſuch Offences, that concern Almighty GOD, and his

his Holy Religion eſtabliſhed amongſt us.

It is for the Honour and Intereſt of every Government, that all Vice, Immorality and Profaneneſs ſhould be ſuppreſs'd, becauſe they are prejudicial to it; and the contrary Virtues tend to the Good and Welfare of Society. All Manner of Wickedneſs, even in thoſe Inſtances, where it doth not directly injure any private Perſon, nor diſturb the publick Peace, has an ill Influence upon Society, tends to make Men bad Subjects, and worſe Neighbours, and indiſpoſes them for the due Diſcharge of the Relative Duties of Life. And it has been obſerved, that a Contempt of GOD, and a Neglect of Religious Duties, is generally the Inlet to, and Forerunner of almoſt all Manner of Wickedneſs.

I exhort you therefore to preſent all, that ſhall Blaſpheme, Vilify, and Ridicule the Name, Nature, and Attributes of GOD, and all other Offences againſt

9 & 10 *W.* III. C. 32. againſt the Act of the Ninth Year of King WILLIAM the Third, *For the more effectual Suppreſſing of Blaſphemy and Profaneneſs.*

YOU are alſo to take Notice of all other Offences mentioned in his Majeſty's Royal Proclamation juſt now read to you: Particularly all profane Swearing and Curſing, Drunkenneſs, and Breach of the *Sabbath.*

THE horrid Oaths and Curſes, that abound in our Streets, are very ſhocking to Religious Foreigners, who come here; no ſuch publick Profanation of GOD's holy Name being known abroad, even in Popiſh Countries. Beſides, the Offending GOD, the Injuring our Souls, and Affronting ſincere Chriſtians (in an Age, which pretends to good Breeding) by Treating that GOD with Indignity, whom they worſhip and adore, are Things of ſuch a Nature, which are worthy of our Notice. The common Practice of profane

ſane Curſing and Swearing is exceedingly injurious to civil Society; for whilſt Oaths are reckoned the greateſt Securities of Government, if they are once render'd ſlight and common, it will by Degrees leſſen Men's Awe and Regard for them on more ſolemn and neceſſary Occaſions; and when all Regard for the Obligation of Oaths is loſt, there is an End of our Courts of Juſtice. We have no other Way to judge of Right or Wrong, Truth or Falſhood, nor any Security left for our Lives and Properties, when the Reverence for this ſolemn Appeal to the All-ſeeing GOD is once extinguiſhed in our Minds. So that upon Civil, as well as Religious Conſiderations, you ought to ſet your Faces againſt this Sin, and preſent all Conſtables, negligent or remiſs in this Part of their Duty, in Taking up and Giving Information againſt common Swearers.

DRUNKENNESS is not only a Tranſgreſſion of the Laws of GOD, and the Law

Law of the Land, but a Violation of the Law of our Nature: It deprives Men of their Reaſon, and levels them with the Beaſts. Preſentment and Indictment in Seſſions is one Method appointed by the Statute of the Fourth of King JAMES the Firſt for the Puniſhment of Drunkenneſs.

4 *Jac.* I. C. 5.

IT has been the Honour of our Government, that the Obſervation of the LORD's Day has been more ſtrictly enjoyn'd by our Laws, than in any other Nation whatſoever; and it is Pity, that ſuch excellent Laws have not been better executed.

29 *Car.* II. C. 7.

THE Statute of the Twenty ninth of King CHARLES the Second, for the better Obſervation of the LORD's Day, requires all Perſons to exerciſe themſelves thereon in the Duties of Piety and true Religion, publickly and privately, and prohibits all bodily Labour, and worldly Buſineſs. And ſince this Law forbids Carriers and Waggoners to travel upon their honeſt

and

and neceſſary Buſineſs on this Day, it ſurely cannot be ſuppoſed to allow any in the Profanation of it by Races, which ſome Perſons have preſumed to appoint to be run on Sundays. But his Majeſty has thought fit to diſcourage ſuch Practices, and commanded the Juſtices of the Peace of this City and Liberty, ſtrictly to put in Execution all the Laws againſt the Profanation of the LORD's Day, and to the utmoſt of their Power to diſcourage and puniſh any Breach of the Laws in this Behalf. His Majeſty's Pleaſure herein having lately been ſignified by a Letter from the Right Honourable the Lord Viſcount TOWNSHEND, one of his Principal Secretaries of State, his Lordſhip's Letter ſhall be preſently read in Court.

1 *Car.* I. C. 1.
3 *Car.* I. C. 2.

SINCE therefore his Majeſty's pious Care for the Good of his People is ſo great, 'tis hop'd that ſo illuſtrious an Example will inſpire you with a Zeal

to do your Duty, by Preſenting all that ſhall make Default in coming to Church, or ſome Religious Meeting, tolerated and allowed by Law, every Sunday: And all that ſhall ſpend their Time on that Day in any Sports or Games whatſoever, eſpecially Gaming Aſſemblies.

1 *Eliz.* C. 2.
23 *Eliz.* C. 1.
3 *Jac.* I. C. 4.
1 *W.* & *M.* Seſſ. 1. C. 18.

THE devout Obſervation of the LORD's Day has hitherto, and ever will be, the moſt probable Means of Preſerving a Senſe of, and Keeping up a viſible Face of Religion in the World; which (ſhould theſe Races and other Diverſions on this Day prevail) would ſoon be loſt among us.

ENQUIRE of all Perjury in Oaths judicially taken; all Subornation of Perjury and Forgery: And alſo of all Books and Pamphlets wrote againſt Religion, or the Sacred Scriptures; or that are *Contra bonos Mores.*

5 *Eliz.* C. 9.

THERE are ſuch Books publiſhed, daily ſold in Shops, and advertiſed in the

the Publick News-Papers, that ought rather to paſs the Fire than the Preſs; and are a Scandal to any Chriſtian Country. If you can't find out theſe deteſtable Authors, Preſent the Printers and Publiſhers.

ALL theſe in their Nature ſeem to be more immediate Offences againſt the Divine Majeſty.

AFTER the Duty, that we owe to Almighty GOD, with which nothing ought to come in Competition, the next Duty, that we owe, is to our King and Country; and for the Preſervation of theſe, I muſt recommend to you to enquire into all Treaſons.

IT is High Treaſon, To compaſs or imagine the Death of the King, or Queen, or the Death of their Eldeſt Son and Heir, and to declare the ſame by ſome Overt-Act. 25 *Ed.* III. C. 2.

IT is alſo High Treaſon, to levy War againſt the King; adhere to his Enemies; or to give them Aid or Comfort, in the Realm or elſewhere.

To Counterfeit his Great or Privy Seal; to Counterfeit his Coin, or Bring falſe into the Realm; to Kill the Lord Chancellor, Lord Treaſurer, Juſtices in Eyre, of Aſſize, and Juſtices of *Oyer* and *Terminer*, being in their Places doing their Offices.

THERE are ſome other Species of High Treaſon, which becauſe you'll have no Occaſion to enquire into, I need not trouble you with the Particulars. I ſhall only put you in Mind of that Excellent Statute of the Sixth of the late Queen ANNE, whereby it is made High Treaſon to maintain by Writing, or Printing, that the Kings and Queens of this Realm, by the Authority of Parliament, are not able to make Laws of ſufficient Force to bind and limit the Deſcent of the Crown; or that the Pretender hath Right to the Crown; or that any other Perſon hath Right to the ſame, otherwiſe than according to the Acts of Settlement. And if the Offender maintains the ſame by Words only, it is a Premunire.

6 *Annæ* C. 7.

AND

AND here, GENTLEMEN, I would obſerve to you, that by a former Act of Parliament, made in the thirteenth Year of the Reign of Queen ELIZABETH, to aſſert and maintain, that the Queen and Parliament could not bind or limit the Deſcent of the Crown, was made High Treaſon during that Queen's Life. By this Law it appears, that the Patriarchal Scheme, and the Doctrines of indefeiſible, unalineable Hereditary Right are of mere modern Invention, and were neither known nor believed by our Parliaments or Clergy in the Glorious Reign of Queen ELIZABETH. So that you ſee, the Title of his preſent Majeſty King GEORGE is unqueſtionable, and moſt agreeable to our Ancient Conſtitution and Laws.

13 *Eliz.* C. 1. Raſt. 27. 3 Inſt. 6, 10, 12, 14. *Coke*'s Inſtit. 4. Part. 36.

YOU are alſo to enquire of Miſpriſion of Treaſon; which is barely a Concealing it, without Evidencing a Conſent to it, for that is High Treaſon: By the Statute of the Fourteenth of Queen ELIZABETH, it is

14 *Eliz.* C. 7.

Miſ-

Miſpriſion of Treaſon to Counterfeit any Foreign Coin not current here.

You are to preſent all Treaſonable and Seditious Words, and Speeches, reflecting on his Majeſty's Sacred Perſon and Government, for they are indictable at common Law.

The third and laſt Sort of Offences, that I ſhall recommend to your Enquiry, are thoſe that concern your Fellow Subjects. Of theſe ſome are Capital, and ſome are not Capital.

Of the Capital, you are to preſent Petty Treaſon, which is an inferior Degree of Treaſon, and is committed againſt a Subject, between whom and the Offender the Law preſumes there is a ſpecial Obedience and Subjection due: It is Petty Treaſon therefore, for a Servant to Kill his Maſter, or Miſtreſs, or Maſter's Wife, or a Wife her Husband, or an Eccleſiaſtical Man his Prelate.

25 E. III. C. 2.

You are to enquire of Burglary, which is a Breaking and Entering into a Houſe by Night, with an Intent to commit

mit ſome Felony, whether the felonious Intent be executed or not. By the Statute of the Eighteenth of Queen Elizabeth, Clergy is taken away in all Burglaries. 18 *Eliz.* C. 7.

You are to preſent all Sorts of Felonies; as Murders, Robbery on the Highway, Picking of Pockets, &c. But theſe common Thefts are ſo well known to you, that I ſhall not ſuſpect your Knowledge and Underſtanding ſo much, as to think you ſtand in need of any Detail of them, or that I ſhould define them to you.

Of Offences not Capital there are very great Numbers: I ſhall only mention ſome, that are moſt recent among us, and therefore like to fall under your Cognizance and Enquiry.

You are to preſent Petty Larceny; all Buyers and Receivers of Stolen Goods, knowing them to be ſo; all forcible Entries, and Detainers of Lands and Tenements by Force. All Riots, Routs, and unlawful Aſſemblies. Affrays, Aſſaults, 5 *R.* II. C. 7. 8 *H.* VI. C. 9. 31 *Eliz.* C. 11. 21 *Jac.* I. C. 15. 34 *Edw.* III. C. 1.

Bat-

17 *Rich.* II. C. 8. 13 *Hen.* IV. C. 7. 19 *Hen.* VII. C. 13. 11 *Hen.* VII. C. 4. 22 *Car.* II. C. 8. 33 *Hen.* VIII. C. 1. 5 & 6 *Edw.* VI. C. 14. 17 *Edw.* III. C. 3. 51 *Hen.* III. Stat. 6. *An. Dom.* 1266. 1 *Edw.* III. C. 14. 20 *Edw.* III. C. 4. 1 *R.* II. C. 4.

Batteries; and in general, all Breaches of the Peace; all that buy or ſell by falſe Weights or Meaſures; all that deceitfully get into their Hands other Men's Goods by falſe Tokens, Pretences, or Counterfeit Letters; all Foreſtallers, Regrators, and Ingroſſers of Corn and other Victuals; all that ſhall ſell corrupt and unwholeſom Victuals; all common Barretors, and Stirrers up of Suits and Quarrels, either in Courts of Juſtice, or in the Country among the King's Subjects, who otherwiſe would be in Peace. By preſenting ſome Barretors, you'll vindicate the Honour of our Laws, by Turning the Edge of them, and the Eyes of your Country upon ſuch Men, who ſo much abuſe the one, and are a Nuſance to the other. That great Man, the Lord Chief Juſtice HALE, us'd to ſay, that it was of more Service to the Publick,

to

to convict one common Barretor, than ten Highwaymen. Present also all Keepers and Maintainers of common Gaming-Houses, which are indictable as Nusances at common Law, as well as punishable by the Statute of the Thirty third of King Henry the Eighth. 33 *Hen.* VIII. C. 7.

Present likewise all Common Gamesters, who draw in and ruin young Gentlemen of Estates, and others.

Enquire of all Bribery and Extortion in any Officers or Ministers of Justice, in Taking Money were none is due, or more than is due, or before it is due; and particularly of the Extortion of Goalers. 12 *Rich.* II. C. 2. 4 *Hen.* IV. C. 5. 5 & 6 *Edw.* VI. C. 16. 3 *Ed.* I. C. 26.

Present all Bawdy-Houses, and Disorderly Houses; under which Denomination you ought to reckon those many Houses and Shops, where such Numbers of the lower Sort of People get drunk with *Geneva*, and other spirituous Liquors; a growing Evil, of more mischievous Consequences to the Publick, than can well be expresst.

AND becauſe our Excellent Laws are often render'd uſeleſs, through the Remiſneſs and Neglect of the inferior Officers, who are to execute them;

ENQUIRE, if any Conſtables omit to make Preſentments of any publick and notorious Offences in their reſpective Pariſhes or Wards; if they refuſe or neglect to execute Warrants delivered to them; if they neglect Watch and Ward; or the Suppreſſing of Vagrants; or if they wilfully neglect or omit any other Part of their Duty.

PRESENT all Tradeſmen, Workmen, and Artificers, that conſpire together not to ſell their Goods or to work, but at certain Rates and Prizes; and all ſuch as exerciſe Mechanical Trades, to which they have not been Apprentices ſeven Years, according to the Act of the Fifth of Queen ELIZABETH.

2 & 3 *Edw.* VI. C. 15.

5 *Eliz.* C. 4.

PRESENT all that ſhall contract with Artificers to go out of the Kingdom, contrary to an Act of the Firſt of the late King GEORGE.

1 *Geo.* I.

YOU

You are to enquire of all Highways, and Bridges out of Repair, and who ought to repair them; of all Cheats, and of all publick Nuſances: And here I hope you will not forget the very bad Condition of the Streets, and Pavements in many Parts of this City and Liberty, which gives great Offence to every Body, and is detrimental to the Health of the People; and is occaſion'd chiefly thro' the Neglects of the Scavengers and Rakers, and partly by the Remiſneſs and Careleſneſs of the Servants and Agents of ſeveral Companies of Water-Works, who, when they have broken up the Ground, to put in or mend their Pipes, lay down the Pavements again in thoſe Places in a very looſe, irregular, and unworkman-like Manner.

These, Gentlemen, are all Matters very proper for your Enquiry, and the Court doth not doubt of your Care therein: But there is one Thing more, which I muſt at this Time particularly recommend to you, and that is, to

preſent the Authors, Printers, and Publiſhers of all Libels.

It is a ſhame to our Nation, that there ſhould be any Perſons belonging to it ſo little ſenſible of the Happineſs which we enjoy, as to libel and diſturb ſuch a King, and ſuch an Adminiſtration; yet this Offence is now grown ſo common, that if a Man goes into a Coffee-Houſe, it is uncertain whether he lays his Hands upon a News-Paper, or a Libel.

I would not have any imagine, that there muſt be expreſs Words of Scandal, and Perſons Names at length, to make a Libeller criminal: If our Laws require this, they are very weak; and it would be ſtrange, that all Mankind muſt underſtand a Libeller's Meaning, except the Court and the Jury, who are to try him.

Indirect or Oblique Scandal hath in all Times (eſpecially ſince the Abolition of the Court of Star-Chamber) been proſecuted, and the Offenders convicted and puniſhed in the ordinary Courts of Juſtice;

16 *Car.* I. C. 10.

ſtice; and if it were otherwiſe, the ſubtle or cunning Contrivance, which aggravates the Crime, would prevent the Puniſhment. And therefore it is, that Ironical Scandal, nay, even Dumb Scandal (Scandal by Pictures or by Signs) as is mentioned in the Caſe *de Libellis famoſis*, in my Lord COKE's fifth Report, is indictable in this Court. The only Caution neceſſary in theſe Caſes is, that the Interpretation be not forc'd nor ſtrain'd. *Coke's* 5th Report.

I ſhall conclude with putting you in Mind of that Part of your Oath, which obliges you to Preſent all ſuch Matters and Things, as come to your Knowledge, touching this preſent Service, as well as ſuch Offences, that ſhall be given you in Charge. You are, or ought to be, ſummoned from the ſeveral Quarters of this populous City and Liberty, to the Intent that no Offences in your reſpective Pariſhes, or Streets, or probably throughout the whole Liberty, may eſcape the Knowledge of one or other of you. In Finding only ſuch Bills, that

are

are brought before you by private Profecutors, you'll do but one Part of your Duty, which a Jury return'd out of one Pariſh or Street might do as well. But if you'll have a due Regard to your Oaths, you muſt preſent all notorious and publick Offences in your reſpective Neighbourhoods; which, if Grand Juries would every where do, would tend much to reform the vicious Part of Mankind.

GENTLEMEN,

YOUR Office is as Ancient as our Laws, and (as you have heard) the great Bulwark of our Liberties. And it is with Pleaſure, that I ſee this great and important Truſt now repoſed in Perſons of your Credit and Reputation, Knowledge and Experience; who, I doubt not, will perform every Part of your Duty, and acquit your ſelves like ſuch, as have a ſtrict Regard to Juſtice, and the Proceedings and Authority of this Court.

THE

THE
Second CHARGE
OF
Sir *John Gonſon* Knt.
TO THE
GRAND JURY
OF THE
CITY and LIBERTY of WESTMINSTER, &c.

At the General Quarter-Seſſions of the Peace held the eleventh Day of *July*, 1728, at the *Town Court-Houſe* adjoining to *Weſtminſter-Hall.*

Printed at the Deſire of the Juſtices of the Peace *for the ſaid City and Liberty, and of the* Grand Jury.

Printed by CHARLES ACKERS. MDCCXXVIII.

Civitas, Burgus, & Villa Weſtm. *in Com.* Middx. } ſſ. *Ad Generalem Quarterialem Seſſionem Pacis Domini Regis tent' apud* Weſtm. *pro Libertat' Decani & Capituli Eccleſiæ Collegiat. Beati* Petri Weſtm. *Civit', Burgi, & Villæ* Weſtm. *in Comitat.* Middx. *& Sancti* Martini le Grand, London' *die* Jovis *ſcilicet undecimo die* Julii, *Anno Regni Domini* Georgii *Secundi, Dei Gratiâ nunc Regis* Magnæ Britanniæ, *&c. ſecundo.*

FOraſmuch as the Charge this Day given by Sir *John Gonſon* Knight, Chairman of this Court (in the Abſence of the Right Honourable *John* Lord *Delawar* the preſent Chairman) to the Grand Jury, and Jury of Conſtables, aſſembled and ſworn at this preſent Seſſions of the Peace held for this City and Liberty, is a Religious, Loyal, and Elegant Charge, tending to promote the Practice of Virtue and Religion, and alſo fully demonſtrating the Happineſs of our Conſtitution and Government, under the auſpicious and glorious Reign of his preſent Majeſty, and his wiſe Adminiſtration: It is unanimouſly Agreed, and Ordered by this Court, That the Thanks of this Court be, and the ſame are hereby given to the ſaid Sir *John Gonſon* for his ſaid Charge; and this Court doth deſire, that he will be pleaſed to cauſe the ſame to be Printed and Publiſhed.

Per Curiam

MIDDLETON.

To the WORSHIPFUL

Sir *John Gonſon* Knt.

CHAIRMAN of the Quarter-Seſſions, &c. held for the City and Liberty of *Weſtminſter*, the eleventh Day of *July*, 1728.

WE *the Grand Jury, ſworn to enquire for the Body of the City and Liberty of* Weſtminſter, *having received a moſt Excellent, Learned, and Loyal Charge, from the Chair, given by your Worſhip, Do hereby return you our moſt hearty Thanks for the ſame; and pray, that you will be pleaſed, for the Publick Good, to cauſe the ſame*

to be Printed, to remain to Poſte-rity, &c.

James Webb.

Edm. Purſer.
Tho. Mitchell.
John Richards.
Joſ. Pagett.
Charles Steward.
Tho. Farraine.
John Parker.
Tho. Stocken.
John Gouleton.
Tho. Fayram.
Wm. Holmes.
Sam. Mallings.
Peter Wood.
Tho. Baker.
John Chaworth.
Sam. Vale.
Tho. Hamley.

THE

THE

Second CHARGE

OF

Sir *John Gonſon* Knt.

Gentlemen of the Grand Jury,

AS the principal End of Civil Government and Human Laws is to ſecure Property, to oblige Men, out of Fear of Penalties, to live honeſtly and juſtly, and that each Individual may be defended againſt Injury and Wrong; ſo where the Fundamental Laws and Conſtitutions of any Government have been wiſely adapted to theſe

Ends, ſuch Countries and Kingdoms have increas'd in Virtue, Power, Wealth, and Happineſs.

Oratio pro Publio Sextio.

TULLY, who takes it from ARISTOTLE, tells us, That the ultimate End of Government, and the Mark, that all Rulers ought to aim at, is to acquire Peace with Reputation.

TOWARDS attaining this End, he mentions the ſeveral Particulars, which it requires the greateſt Application and Vigilance of good Governours to promote and maintain; and the chief Branches, as he enumerates them, are, Religion; the juſt and legal Powers and Rights of the Legiſlature; and of the Magiſtrates ſubordinate to that; a due Adminiſtration of Juſtice; the Publick Treaſure and Credit; and concludes with *Laus Publica*; which indeed is the Reſult of a good Adminiſtration of the ſeveral Branches mentioned. For Praiſe, both at Home and Abroad, will always attend good Management.

It is apparent to any one, that will but reflect upon all theſe Particulars, That in no Age hath there ever been in this Nation, or any other, a more univerſally Glorious Adminiſtration, than we now enjoy under his Sacred Majeſty King George the Second.

To begin with Religion. The *Church of England* by Law eſtabliſh'd is in no Danger, but in a moſt ſafe and flouriſhing Condition; all her Immunities, Rights, and Privileges are ſecur'd to her by the ſtrongeſt Laws; and at the ſame Time the *Proteſtant Diſſenters* are eaſy and happy under the Act of *Toleration*. And, as his Majeſty was pleaſed to take Notice in his Speech to the laſt Parliament, " Such mutual " Forbearance is diffuſed " throughout the Kingdom, " that the *National Church* repines not " at the Indulgence given to ſcru- " pulous Conſciences; and thoſe that " receive

His Majeſty's Speech to both Houſes of Parliament, July 17, 1727.

" receive the Benefit of the *Toleration*,
" envy not the *Eſtabliſh'd Church* the
" Rights and Privileges, which they by
" Law enjoy."

It was quite otherwiſe in former Reigns, when Popery and Tyranny had almoſt prevailed to the Ruin of our Church and State. The Proteſtants of theſe Kingdoms, by the Artifices of Papiſts, and the Tools of Arbitrary Power, were miſerably divided and ſet againſt each other, that by ſuch Diviſions, Popery and Tyranny might more eaſily be eſtabliſh'd among us. But ſuch have been the good Effects, of the *Act of Toleration*, as to unite his Majeſty's Proteſtant Subjects, in Intereſt and Affection; many of the Diſſenters are become ſincere Converts to our Church, and their Prejudices wear off: The Members of our Church, and the Diſſenters, notwithſtanding their leſſer Differences, now generally behave themſelves towards each other, as becomes Fellow Subjects and Fellow Chriſtians,

ſtians, as Children of the ſame heavenly Father, and Heirs of the ſame Promiſes; agreeable to the Advice of our preſent moſt pious and excellent Metropolitan, in his admirable * Sermon and Exhortation for Mutual Charity and Union among Proteſtants; preached before King WILLIAM and Queen MARY, at *Hampton-Court*, *May* 21, 1689.

THE great Learning, Piety, truly Chriſtian Moderation, extenſive Zeal, and Chriſtian Charity of thoſe moſt Reverend Prelates, who now adorn the Mitre, will, in all human probability, raiſe the Luſtre and Reputation of the Church of *England* to ſuch a Degree, that as the Steddineſs of his Majeſty's Counſels, and the Wiſdom of his Adminiſtration juſtly entitles our Nation at preſent to hold the firſt Rank, ſo ſhall our Church be look'd upon as the Mother of all the Reform'd Churches

* *Sermons and Diſcourſes on ſeveral Occaſions, by the Moſt Reverend Father in GOD,* WILLIAM, *Lord Arch-Biſhop of* Canterbury. *The Second Edition.* 1716. *Page* 192, 193.

in

in *Europe*, and will become a Praiſe in the whole Earth; our learned Divines, for their excellent Writings and virtuous Lives, being famous Abroad, and highly eſteem'd even at *Geneva*.

As to the juſt Rights and Powers of the Legiſlature, no Prince ever had a more tender Concern for them than his preſent Majeſty. The true Intereſt of the Nation is ſteddily purſued, and the great Fences and Boundaries of our Religion and Liberties inviolably maintained, and all farther Securities, for the Preſervation and Advancement of both, are chearfully granted.

PUBLICK Juſtice is duly and impartially Adminiſter'd. In the chief Court of Equity preſides a noble Lord, juſtly eſteem'd by all for his great Learning, Probity, and admirable Temper; and in the other Courts of Juſtice there are ſuch excellent and learned Judges on the Bench, that have been the Ornaments of the Bar, not the Blemiſhes of it, as a great Man truly ſaid of Judges in former Reigns, ſome

Algernoon Sidney *Eſq*;

ſome of whom had wickedly given up the Conſtitution, by allowing the King a Power to diſpenſe with the Laws; and tho' the Mildneſs of King WILLIAM and Queen MARY's Government was ſuch, that King JAMES the Second's Diſpenſing Judges and Lawyers ſuffer'd no other Puniſhment, yet they are branded by Act of Parliament, and their Names left on Record to Poſterity, as Betrayers of the Rights and Liberties of the People. 2 *W.* & *M.* Seſſ. 1. C. 10.

As to the Treaſure and publick Credit of the Nation, Was it ever rais'd to ſuch a Height before, as it is now? Or the Purſe ever in better Hands? Such a Confidence the People have in the publick Management, and are ſo well ſatisfied, that what we pay is punctually apply'd to the Service to which it is appropriated, and the whole manag'd with ſuch exquiſite Conduct and Frugality, by thoſe honourable Perſons who preſide over the Treaſury, that never were Taxes more freely complied with, nor

ſuch large Sums raiſed ſo ſpeedily, and at ſo low an Intereſt.

And what crowns all our Happineſs is, that we have a King upon the Throne, who is poſſeſſed of all the Royal and Human Virtues that can endear a Prince to any People; and what adds to the Glory of his Majeſty's Government, is, that he ſcorns to be the Head of a Party, and King only of one Part of his People; but extends the Bleſſings of his Reign to all his Subjects without Diſtinction: He has no other Views but to make them all eaſy and happy, to unite their Hearts and Intereſts, and render them as well affected to one another, as all ought to be to him. And with ſuch a King, we have a Queen renown'd over all the World for her Virtue and Goodneſs, and for that ſacred Regard to the true Proteſtant Religion, which will make her Hiſtory the Delight of good Men in Ages to come. We are alſo bleſt with a numerous and hopeful Progeny, ſprung from theſe great Parents, educated by their Royal Cares, and form'd by

by their Examples, and who cannot fail of perpetuating to theſe Nations the Felicity, which we enjoy under their moſt Excellent Majeſties. In a Word, we have ſuch a Scene of Good at preſent, as few Nations have ever enjoyed, and ſuch a Proſpect of Good to come, as calls the Bleſſings of future Times into our own, and adds to the Happineſs of this Age, a Taſte of the Happineſs of their Poſterity.

GENTLEMEN,

FOR preſerving the publick Peace, and reſtraining the Luſts, unruly Paſſions, Frauds, and Violences of Men, our Laws have ſeveral Ways wiſely provided Remedies, and conſtituted many Courts of Judicature: Amongſt which I may reckon one of the Chiefeſt to be this Court of Quarter-Seſſions, which is held four Times in a Year in every County; and alſo many Cities, Corporations, and Liberties have their Quarter-Seſſions, and their Grand and Petty Juries; and theſe being drawn by our excellent Conſtituti-

on from the ſeveral Parts of each County, City, and Liberty, there can be no notorious Breach of the Law, morally ſpeaking, committed within this Kingdom, that can eſcape their Knowledge. This is a Court ſo honourable, that it receives its Authority by a ſpecial Commiſſion from his Majeſty; in which the greateſt Subjects of *Great-Britain* think it an additional Dignity and Privilege to have their Names inſerted; and ſeveral Noblemen of illuſtrious Extraction, magnificent Titles, and ſplendid Fortunes, have lately qualified themſelves to act as Juſtices of the Peace for this City and Liberty; whoſe hereditary Candor and Generoſity, inherent in noble Blood, inſeparable from the Birth and Education of Peers, renders them eminently qualified for the Adminiſtration of publick Juſtice, and muſt needs give great Satisfaction to the People to think, that their Cauſes are to come before, and their Differences to be determined by ſuch noble Judges, who are neither to be ſway'd by Hopes, over-ruled by Fears,

nor

nor miſled by any falſe Prejudice or Paſſion, but will decide every Cauſe with the ſtricteſt Impartiality, Equity and Honour.

AND as our Office is honourable, ſo it is likewiſe very Ancient; for, beſides the Reaſon, which we have to believe that this, or ſomething very like it, was contemporary with the Original of our own, and other of the *Gothic* Governments in *Europe*, our *Chronicles* inform us, that WILLIAM the Firſt, commonly call'd the *Conqueror*, about the fourth Year of his Reign, which is ſix hundred and ſixty Years ago, appointed Juſtices of the Peace; tho' the firſt particular Statute, which we meet with concerning them, is in the firſt Year of the Reign of King EDWARD the Third. How generally uſeful and ſerviceable to the Country, this our Authority has been found to be, needs no other Proof, than the conſiderable Enlargement it hath ſince that Time received in almoſt every Reign.

Hollingſhead. Baker.

1 *Ed.* III. C. 16.

WHEREAS

WHEREAS the High Commiſſion Court, the Star-Chamber, and the Court of Wards and Liveries, and ſeveral other Courts having exceeded their Juriſdictions, and being found to deviate from their original Inſtitutions, and inſtead of giving Eaſe, Relief, and Security, to become Burthenſome and Oppreſſive to the Subjects, have been ſuppreſſed by Authority of Parliament. But the Wiſdom of the Legiſlature, inſtead of vacating our Power, hath in many Particulars extended the Limits of it; for they could not but be ſenſible of the vaſt Advantages that every Man receives by ſo frequent, and ſo regular, ſo cheap, and ſo eaſy an Adminiſtration of Juſtice.

THE Oath, that you have taken to preſent all ſuch Matters and Things that ſhall be given you in Charge, ſeems to imply an Obligation on me, to acquaint you with thoſe Crimes and Offences, that the Commiſſion of the Peace, and divers Statutes appoint to be either enquired of or puniſhed in this Court, at leaſt,

leaſt, with ſuch of them as are moſt likely to fall under your Cognizance and Enquiry. And theſe Articles of your Charge, for Method ſake, are uſually divided into three general Heads.

I. Such Offences as concern Almighty GOD, and his holy Religion eſtabliſhed amongſt us.

II. The King. And,

III. Our Neighbours, or Fellow Subjects.

As to the Firſt of theſe. Tho' Religion hath a much higher and nobler End, yet it is ſo very neceſſary for the Support of human Societies, that it is impoſſible, they can ſubſiſt without acknowledging ſome inviſible Power, that concerns himſelf with human Affairs, and will puniſh the Immoral and Vicious, and reward the Good and Virtuous in another Life. And the Awe and Reverence of this divine Being makes

makes Men more effectually obſerve thoſe Duties, in which their mutual Happineſs conſiſts, than all the Puniſhments of the Magiſtrate. If it's reaſonable for the Magiſtrate to puniſh one, who does any Injury to a ſingle Perſon, he ought certainly to puniſh him who injures the whole Society, by openly denying the Being of a GOD, or that he governs the World, or preſides over human Affairs; ſuch a one may juſtly be eſteemed an Enemy to the whole Race of Mankind, as ſubverting that Foundation on which their Preſervation and Happineſs is chiefly built.

To puniſh ſuch bold and impious Offenders as theſe, an Act of Parliament was made in the ninth Year of the Reign of King WILLIAM the Third, whereby it is enacted, That if any Perſon, having been educated in, or at any Time having made Profeſſion of the *Chriſtian* Religion within this Realm, ſhall by Writing, Printing, Teaching or adviſed

9 & 10 *W.* III. C. 32.

adviſed Speaking, deny any one of the Perſons in the Holy Trinity to be GOD, or ſhall aſſert and maintain, that there are more Gods than one, or ſhall deny the *Chriſtian* Religion to be true, or the Holy Scriptures of the *Old* and *New Teſtament* to be of divine Authority; being lawfully convicted by the Oaths of two credible Witneſſes, ſhall for the firſt Offence be adjudged incapable and diſabled in Law to all Intents and Purpoſes, to have, hold, and enjoy any Office or Employment, Eccleſiaſtical, Civil, or Military whatſoever; and if at the Time of Conviction he is poſſeſs'd of any Office, &c. ſuch Office, Place, or Employment ſhall be void: For the ſecond Offence, he ſhall be diſabled to Sue, Proſecute, Plead, or Uſe any Action, or Information, in any Court of Law or Equity; or to be a Guardian, Executor, or Adminiſtrator, or capable of any Legacy, or Deed of Gift; or of any Office Civil or Military, or Benefice Eccleſiaſtical; and ſhall ſuffer three Years Impriſonment without

Bail, from the Time of the Conviction.

THIS Act was not made to puniſh the Error, but the Impudence of the Offender. And if ever there was Occaſion to put it in Execution, it is now, when ſeveral wicked Authors, in their pernicious Books, dare to *blaſpheme that Holy Name, by which we are call'd*, and even in a ludicrous Manner to write againſt the Deity, the Miracles, and meritorious Sufferings of our Bleſſed Lord and Saviour.

PRESENT all, that ſhall ſpeak or do any Thing in Contempt of the Holy Sacrament, contrary to the Act of the Firſt of King EDWARD the Sixth; And all that ſhall diſturb any Preacher allowed, in his open Sermon or Collation, or be procuring or abetting thereunto.

1 *Ed.* VI. C. 1.

1 *M.* I. Seſſ. 2. C. 3. 1 *W.* & *M.* C. 18.

YOU are to take Care, that the Laws againſt Immorality and Profaneneſs be ſtrictly put in Execution, in Purſuance of the excellent Proclamation juſt now read

read to you. We neither want good Laws, nor due Encouragement from our Superiors, nor yet good Magiſtrates; but many of the Conſtables, and other inferior Officers, are ſo very negligent and remiſs in their Duty of Informing againſt, and Proſecuting common Swearers, Drunkards, Sabbath-Breakers, &c. that they often render our Pains as it were ineffectual, for the Promoting a general Reformation of Manners. Therefore make a ſtrict Enquiry into, and make a due Preſentment of the Neglects, or Connivances of all Officers of Juſtice concern'd in the Execution of the Laws, eſpecially thoſe againſt Immorality and Profaneneſs; for ſince we find by Experience, that they have ſo little Regard to the Glory of GOD, the Good of their Country, or their Oaths, it is highly conducive to their own Good, and to the better Demeanour of their Succeſſors, that they ſhould be made publick Examples of, and ſuffer Fine and Impriſonment, as the Court ſhall think fit.

THE ſecond general Head relates to the King.

THE greateſt Offence againſt him is High Treaſon.

BEFORE the Statute of the Twenty fifth of King EDWARD the Third, what was High Treaſon at the common Law being very uncertain, this Statute was made to reduce the ſeveral Species of Treaſon to a Certainty.

25 *Ed.* III. C. 2. BY this Act, Compaſſing or Imagining the Death of the King, or Queen, or their Eldeſt Son and Heir, and Declaring, by an open Act, a Deſign to depoſe, impriſon, or murder the King, *&c.* is High Treaſon; ſo is levying War againſt him, or adhering to his Enemies within the Realm or without; and alſo counterfeiting his Great Seal, Privy Seal, or his Money current within the Realm. The ſeveral other Species of High Treaſon I omit to give you in Charge, becauſe not likely at preſent to fall under your Cog-

Cognizance and Enquiry. But before I proceed to other Things, I muſt mention to you one Act of Parliament made for Securing to us, and our lateſt Poſterity, that invaluable Legacy of the *Hanover* Succeſſion, left us by the great King WILLIAM of Glorious and Immortal Memory. And this is a Statute made in the ſixth Year of the Reign of the late Queen ANNE, whereby it is made High Treaſon to maintain, by Writing, or Printing, That her then Majeſty was not lawful Queen; or that the Pretender hath any Right to the Crown; or that any other Perſon hath any Right to the ſame, but by the Acts of Settlement; or that the King and Parliament cannot limit or bind the Succeſſion of the Crown: And if the Offender maintain the ſame only by Words, it is a Premunire; but then, Information for the Words muſt be made before one or more Juſtices of the Peace, upon the Oaths of two credible Witneſſes, within three Days after they are ſpoken, and the Proſecution muſt be within three Months after the ſame.

6 *Annæ.* C. 7.

ſame. This is neceſſary to bring the Offender to ſuffer the Puniſhment for a Premunire; but the like Words, without theſe Circumſtances or Qualifications, are Indictable as a High Miſdemeanour at the common Law, being againſt the Duty and Allegiance of every Subject. And here I would remark to you, that Altering or Limiting the Succeſſion of the Crown is not unprecedented; for in the Reign of King HENRY the Eighth, he, with his Parliament, limited, ordered and ſettled the Succeſſion of the Crown as they pleaſed; and in the thirteenth Year of Queen ELIZABETH, an Act was paſſed, that made it High Treaſon for any one during her Life, and a Premunire afterwards, to deny that ſuch Power was inveſted in the Queen and Parliament.

13 *Eliz.* C. 1. *Raſt.* 27.

3 *Inſt.* 6. 10. 12. 14. Coke's *Inſt.* 4. *Part* 36.

YOU are alſo to enquire of Miſpriſion of Treaſon, which is a bare Knowledge of Treaſon without Aſſent to it.

AFTER

AFTER Treaſons, and Miſpriſion of Treaſon, you are to Enquire of Felonies committed againſt the King, and which, for Diſtinction ſake, may be call'd publick Felonies. Debaſing the current Coin, and unlawfully Diminiſhing it are made Felony, by the Acts of the Sixth and Seventh; and the Eighth and Ninth of King WILLIAM the Third. And ſo is Attempting to kill, aſſault, or wound any Privy Counſellor in the Execution of his Office, by an Act of the Ninth of the late Queen ANNE.

6 & 7 *W.* III. C. 17.
8 & 9 *W.* III. C. 25.
9 *Annæ* C. 16.

ANY Perſon going beyond the Seas, to ſerve any foreign Prince, without taking the Oath of Allegiance before his Departure, is to ſuffer Death as a Felon, by the Statute of the Third of King JAMES the Firſt.

3 *Jac.* I. C. 4.

EMBEZZELLING his Majeſty's Armour, Ordinance, Shot, Powder, and other Habiliments of War, or Victuals provided for Soldiers, by any Perſons having

having the Charge or Cuſtody of the ſame, to the Value of twenty Shillings, tho' at ſeveral Times, is made Felony, by an Act of the Thirty firſt of Queen ELIZABETH. And ſo is Stealing or Embezzelling his Majeſty's Naval Stores, by an Act of the Twenty ſecond of King CHARLES the Second.

31 *Eliz.* C. 4.

22 *Car.* II. C. 5.

COUNTERFEITING the King's Stamps, or Uttering, Vending or Selling any Vellum, Parchment, or Paper with counterfeit Marks, knowing them to be ſo, is Felony by the Statute of the Tenth of King WILLIAM the Third. And ſo is privately and fraudulently Uſing any Stamps to defraud his Majeſty of his Duties, by two Acts of Parliament, one of the Tenth, and the other of the Twelfth of Queen ANNE.

10 *W.* III. C. 25.

10 *Annæ* C. 19. 26.

12 *Annæ* C. 9. 19.

YOU are alſo to preſent the Authors, Printers and Publiſhers of all treaſonable and ſeditious Books, Pamphlets and Ballads reflecting upon his Majeſty's

Majeſty's ſacred Perſon, or his Adminiſtration.

THE third general Head of Offences concerns your Neighbour, or Fellow Subject.

OF theſe, ſome are Capital.

1. SUCH as are committed againſt his Life, as Murder, which is a voluntary Killing of another with Malice prepenſed, expreſſed, or implied; or Manſlaughter without Malice, when two quarrel and fight inſtantly before they grow cool again, and one of them is kill'd; or ſometimes Chance medly, as doing a lawful Act without an Intent to hurt, and Death enſues.

2. SUCH as concern his Goods, as Grand Larceny, or a Felonious and Fraudulent Taking or Carrying away, but not from his Perſon, or out of his Houſe, above the Value of twelve Pence; Petty Larceny, if under that Value; Robbery,

which always ſuppoſeth the Taking away of the Money, or Goods, from the Perſon, or out of his Houſe, he or his Family living in it, to be with Force and Violence; otherwiſe being privately and ſecretly done, it is call'd Larceny from the Perſon.

PICKING a Pocket, or Cutting a Purſe, is a capital Offence, by the Statute of the Eighth of Queen ELIZABETH. So is Horſe-ſtealing, by the Second and Third of King EDWARD the Sixth, and other Statutes.

8 *Eliz.* C. 4.
2 & 3 *Ed.* VI. C. 33.
37 *H.* VIII. C. 8.
1 *Ed.* VI. C. 12.

BY an Act of the Third and Fourth of King WILLIAM and Queen MARY, if any Perſon take away, with an Intent to ſteal, any Goods to the Value of forty Shillings, which they are to uſe in their Lodgings, it is Felony without Clergy. As it is by the Statute of the Twenty firſt of King HENRY the Eighth, for a Servant of the Age of Eighteen, and not an Apprentice,

3 & 4 *W.* & *M.* C. 9.

21 *Hen.* VIII. C. 7.

tice, to withdraw himſelf with the Goods of his Maſter or Miſtreſs, with an Intent to ſteal the ſame; or without their Aſſent or Commandment, embezzle their Goods with the ſame Intent, to the Value of forty Shillings.

By the Statute of the Tenth and Eleventh of King William the Third, Stealing out of any Shop, Ware-houſe, Coach-houſe, or Stable, by Night or Day, to the Value of five Shillings, tho' the Shop, &c. be not broke open, or any Perſon put in Fear, is Felony without Clergy: So is Aſſiſting, Hiring, or Commanding any Perſon to commit ſuch Offence. 10 & 11 *W.* III. C. 23.

Stealing to the Value of forty Shillings, or more, out of a Dwelling-Houſe, is alſo Felony without Clergy, by an Act of the Twelfth of Queen Anne. 12 *Annæ* C. 7.

Counterfeiting Bank Notes, Exchequer Bills, South Sea Bonds, or Lottery Orders, are capital Offences by ſeveral Statutes made in 8 & 9 *W.* III. C. 19. 7 & 8 *W.* III. C. 31. 8 & 9 *W.* III. C. 23. 3 *Annæ* C. 13. 7 *Annæ* C. 7. 9 *Annæ* C. 7.

1 *Geo.* I. C. 12. 9 *Annæ* C. 21. 12 *Annæ* C. 2.

the Reigns of King WILLIAM, Queen ANNE, and the late King GEORGE.

COUNTERFEITING, or Forging, or Aſſiſting in the Counterfeiting and Forging any Letter of Attorney, or other Authority, to transfer the Shares of any Proprietor in the Capital Stock of any Body, or Bodies Politick, or Corporate, eſtabliſh'd by an Act of Parliament; or falſely Perſonating the true Proprietor of any ſuch Shares, *&c.* or Receiving, or Endeavouring to receive the Money, of any ſuch Proprietor, as if he was the true Proprietor, by Counterfeiting his Name, *&c.* is Felony without Clergy, by the Statute of the Eighth of the late King GEORGE.

8 *Geo.* I. C. 22.

3. YOU are to enquire of ſuch Offences, as concern your Neighbour's Habitation, as Burglary, or Breaking and Entering the Manſion-Houſe of another in the Night Time, with an Intent to commit ſome Felony; and Houſe Burning,

ing, which takes in the voluntary and malicious Burning of Outhouſes, Stablings, or Barns with Hay, or Corn in them, as well as the Manſion-Houſe ſtrictly ſo call'd.

THERE are likewiſe many other Offences enquirable by you, which are made Felony by ſeveral Statutes. I ſhall mention ſome of them.

AS all Rapes and Raviſhments of Women, by the Thirteenth of King EDWARD the Firſt, and the Sixth of King RICHARD the Second. And alſo forcibly Marrying Women of Subſtance in Goods or Lands, againſt their Wills, and receiving ſuch Offenders, knowing thereof, or abetting the ſame, is made Felony, by the Third of King HENRY the Seventh, and the Thirty ninth of Queen ELIZABETH. To lie with any Woman Child under ten Years old, tho' with her Conſent, is Felony, by the Eighteenth of Queen ELIZABETH. To cut out the Tongue,

13 *Ed.* I. C. 34.
6 *R.* II. C. 6.
3 *H.* VII. C. 2.
39 *Eliz.* C. 9.
18 *Eliz.* C. 7.

Tongue, or put out the Eyes of any Perſon, is Felony, by the Fifth of King HENRY the Fourth. And by the Twenty ſecond and Twenty third of King CHARLES the Second, commonly call'd the *Coventry Act*, all ſuch as on Purpoſe, and of Malice forethought, and by Lying in Wait, unlawfully cut out or diſable the Tongue, put out an Eye, ſlit the Noſe, cut off a Noſe or Lip, or cut off or diſable any Limb, with an Intent to Disfigure any Perſon, it is Felony in him, his Aiders and Abettors.

5 *H.* IV. C. 5.

22 & 23 *Car.* II. C. 1.

IF any Owner, Captain, Maſter, or Mariner, or other Officer belonging to a Ship, ſhall wilfully caſt away, burn, or deſtroy the Ship, or procure the ſame to be done, to the Prejudice of any Perſon, who ſhall underwrite any Policy of Inſurance thereon, or of any Merchant, that ſhall load Goods thereon, it is Felony, by an Act of the Fourth of the late King GEORGE.

4 *Geo.* I. C. 12.

A liſted Soldier, departing from his Captain without Leave, is Guilty of Felony by the Eighteenth of King HENRY the Sixth, and the Second of EDWARD the Sixth. And any Soldier raiſing a Mutiny in the Army, or refuſing to obey his ſuperior Officer, or reſiſting any Officer in the Execution of his Office, or ſtriking, drawing, or offering to draw, or lift up any Weapon againſt his ſuperior Officer, is alſo guilty of Felony, by an Act of the tenth Year of the Reign of Queen ANNE.

18 *H.* VI. C. 19.
2 *Ed.* VI. C. 2.
10 *A.* C. 10.

STEALING, or taking away any Record is Felony by the Statute of the Eighth of King HENRY the Sixth; and ſo is acknowledging any Bail, Recognizance, Statute, or Statutes, or Deed inrolled in the Name of another, not privy or conſenting thereunto, by the Statute of the Twentyfirſt of King JAMES the Firſt; and Forging a Deed, after a former Conviction for

8 *H.* VI. C. 12.
21 *Jac.* I. C. 26.

for the like Offence, is made Felony by the fifth of Queen ELIZABETH.

5 *Eliz.* C. 14.

A Felon's Eſcaping before Tranſportation, or Returning from Abroad before the Time expired, for which he was ordered to be Tranſported, is made a Capital Offence, by the Sixth of the late King GEORGE.

6 *Geo.* I. C. 23.

IF eight Perſons, or more, Aſſault or Wound any Officers of the Cuſtoms in the Execution of their Duty, it is Tranſportation for ſeven Years, and if the Offender return within that Time, then he is to ſuffer as a Felon, by an other Act of the Sixth of the late King GEORGE.

6 *Geo.* I. C. 21.

MALICIOUSLY Setting on Fire, Burning, or Cauſing to be Burnt any Wood, Underwood, or Coppice, or any Part thereof, is made Felony, by an Act of the Firſt of the late King GEORGE.

1 *Geo.* I. C. 18.

IF twelve Perſons or more, are riotouſly and tumultuouſly aſſembled together,

together, and by Proclamation made by a Juſtice of the Peace, Mayor, Bayliff, or other head Officer, they are commanded to diſperſe themſelves, and depart to their Habitations, &c. and if they continue together an Hour after, it is Felony without Clergy, by an Act of the Firſt of the late King GEORGE. As it is by the ſame Act to demoliſh and pull down or begin to demoliſh and pull down any Church, Chappel, or any Meeting-Houſe for Religious Worſhip, certified and regiſtered according to the Statute of the Firſt of King WILLIAM and Queen MARY, or any Barn, Stable, or other Outhouſe; or knowingly to hinder or hurt any Perſon beginning to make Proclamation, whereby ſuch Proclamation ſhall not be made, is alſo Felony; as it is in the Rioters, to whom it ſhould have been made, if they do not diſperſe themſelves, but continue together an Hour after ſuch Lett or Hinderance.

1 *Geo.* I. C. 5.

1 *W.* & *M.* Seſſ. 1. C. 18.

BANKRUPTS, Removing, Concealing or Embezzelling any Money, Effects, &c. to the Value of twenty Pounds, are Guilty of Felony, by an Act of the Fifth of the late King GEORGE.

5 *Geo.* I. C. 9.

TRANSPORTING live Sheep, or Lambs, out of the King's Dominions, is Felony for the ſecond Offence, by an Act of the Eighth of Queen ELIZABETH. The Puniſhment for the firſt Offence is Forfeiture of Goods and Chattels, and Loſs of the Offender's left Hand, which is to be cut off in ſome open Market, and Impriſonment for a Year. Maliciouſly and Willingly Killing any Horſes, Sheep, or other Cattle in the Night Time, is Felony, by the Twenty ſecond and Twenty third of King CHARLES the Second. Marrying a ſecond Husband or Wife, the former being alive, is alſo Felony, by the Act of the Firſt of King JAMES the Firſt.

8 *Eliz.* C. 3.

22 & 23 *Car.* II. C. 7.

1 *Jac.* I. C. 11.

By the Statutes of the Fourth and Sixth of the late King GEORGE, to take Money or Reward, Directly or Indirectly, under Pretence, or upon Account of Helping another to ſtolen Goods or Chattels, unleſs ſuch Perſon apprehends the Felon, who ſtole the Goods, and brings him to Tryal, and gives Evidence againſt him, he ſhall ſuffer, as if he had Stolen the Goods himſelf. The late *Jonathan Wild* was Convicted and Executed for this Crime. 4 *Geo.* I. C. 11. 6 *Geo.* I. C. 23.

PERSONS going arm'd, having their Faces blacked, or otherwiſe diſguiſed, appearing in any Foreſt, Chaſe, Park, Paddock, *&c.* Hunting, Wounding, Killing, or Stealing any Red or Fallow Deer; or Robbing any Warren, or Place, where Conies or Hares are uſually kept; or Stealing any Fiſh out of any River or Pond; or maliciouſly Killing or Wounding any Cattle; or Cutting down, or otherwiſe Deſtroying any Trees planted in any Avenue, or growing in any Garden, Orchard, or Plantation for Or-

nament, Shelter or Profit; or Setting fire to any Houſe, Barn or Outhouſe, or Stack of Corn, Straw, Hay or Wood; or wilfully and maliciouſly Shooting at any Perſon in any Dwelling-houſe; or knowingly ſending a Letter without a Name ſubſcribed thereto, or ſign'd with a fictitious Name, demanding Money, Veniſon, or other valuable Thing; every Perſon, offending in any of theſe Particulars, is guilty of Felony without Clergy, by an Act of the Ninth of the late King GEORGE.

9 *Geo.* I. C. 22.

I ſhall mention but one Crime more, that is Felony by Statute, and that is, The moſt Deteſtable and Unnatural *Sin of Sodomy:* A Crime, that GOD Almighty puniſhed with one of the moſt ſignal and remarkable Judgments, that ever he inflicted upon any Nation or People. And may not we expect ſome extraordinary Puniſhments from

25 *H.* VIII. C. 6.
32 *H.* VIII. C. 3.
2 & 3 *Ed.* VI. C. 29.
Repealed by 1 *M.* I. C. 1.
Revived and made Perpetual by 5 *Eliz.* C. 17.

from Heaven, when the vileſt Abomination of the *Heathen* World, and a Sin, not to be named amongſt *Chriſtians*, prevails in a Nation, that for ſo many Years has enjoy'd the Light of the *Goſpel* in the Power and Purity of it? It is not only under our own Conſtitution, but in all civilized Nations, that the Laws have ſeverely puniſh'd this execrable Crime. I hope therefore you will do your Duty, not only in Finding out and Puniſhing theſe abominable Offenders againſt G O D, the Law, and human Nature; but alſo by Preſenting thoſe Houſes, that harbour and entertain them. Several Perſons for keeping Diſorderly Houſes of this Kind have lately been Pilloried, Fined and Impriſoned; and I hope, that the reſt of theſe Miſcreants will be brought to condign Puniſhment, that ſo this horrible Wickedneſs, that 'till of late rarely appear'd in our Hiſtories or Records, may be intirely ſuppreſs'd, and rooted out from amongſt us.

2. Of Offences not Capital, you are to preſent all Riots, Routs, and unlawful Aſſemblies, Aſſaults, Batteries, and all other Breaches of the Peace. All common Nuſances, Houſes of common Lewdneſs and Gaming, and diſorderly Houſes. Thoſe Houſes and Shops where People frequently get Drunk with *Geneva*, and other Liquors of that Kind, are indictable as Diſorderly Houſes, whether they have or have not Licences.

You are to enquire of all Want of due Repairs in Bridges, Common Highways, Streets, and Pavements; and of all Kinds of Treſpaſſes and Miſdemeanours whatſoever. But for a more particular Account of theſe Offences of the lower Kind, I refer you to my Charge the laſt Quarter-Seſſions, which the Court was pleaſed to Order to be Printed and Publiſh'd. A Copy of which I have directed to be given to every one of you, for your Uſe

Uſe on this preſent, or any future Service of this Nature.

To Conclude, GENTLEMEN. As you are to enquire of, and preſent all Offences againſt the Laws of GOD, and the Laws of the Land, ſo I hope, that you will acquit your ſelves with all Honeſty, Diligence, and Impartiality; and we ſhall find by your Preſentments, that you have a well grounded Zeal for the Honour and Glory of Almighty GOD, a true Love to your Country, a moſt ſincere and affectionate Loyalty to his Sacred Majeſty King GEORGE the Second, upon whom, and his Royal Progeny, next under GOD, our Safety and Happineſs depends; and a tender and conſcientious Regard to the ſolemn Oath, which you have taken in the Face of this Court, for the true Performance of your Duty; always Remembring the ſtrict Account, that you muſt give at the laſt Day, of all your publick and private Actions, before the

the great Tribunal. And now, GENTLEMEN, without Detaining you any longer, I diſmiſs you to your Enquiries.

THE

THE CHARGE OF Sir *John Gonſon* Knt. TO THE GRAND JURY OF THE Royalty *of the* Tower *of* London, *and Liberties and Precincts thereof.*

At the General Quarter-Seſſions of the Peace for the ſaid *Royalty*, &c. held the ſixteenth Day of *July*, 1728, at the *Court-Houſe* on *Great Tower-Hill.*

Printed at the Deſire of the Juſtices of the Peace *for the ſaid* Royalty, *and of the* Grand Jury.

Printed by CHARLES ACKERS. MDCCXXVIII.

Turr' & Libertat. } ſſ. *Ad Generalem Quarterialem Seſ-*
Turr' London. } *ſionem Pacis Domini Regis tent' apud*
le Court-houſe *ſuper* Towerhill,
magna infra Libertat' Turr' dicti
Domini Regis London. *Prædict' in*
& pro Libertat' Prædict' & Præ-
cinct' ejuſdem, Die Martis *(ſcilicet)*
Decimo Sexto Die Julii, *Anno Reg-*
ni Domini Georgii *Secundi, nunc*
Regis Magnæ Britanniæ, *&c.*
ſecundo.

WHEREAS Sir *John Gonſon* Knight, Chairman at this General Quarter-Seſſions of the Peace, held for the *Tower* of *London* Liberties, and Precincts thereof, hath this Day given to the Grand Jury, ſworn at this preſent Seſſions of the Peace, held for the ſaid Liberty, a Loyal, Learned and Ingenious Charge, and tending much to the Promoting of Virtue and Religion; it is unanimouſly Agreed, and ordered by this Court, That the Thanks of this Court be, and the ſame are hereby given to the ſaid Sir *John Gonſon* for ſuch his Charge. And further, this Court deſires, that he would be pleaſed to cauſe the ſame to be Printed.

Per Curiam

BRUNCKER.

To the WORSHIPFUL

Sir *John Gonſon* Knt.

CHAIRMAN of the General Quarter-Seſſions, of the Peace, held for his Majeſty's *Royalty* of the *Tower* of *London*, the ſixteenth Day of *July*, 1728.

WE *the Grand Jury, ſworn to enquire for the Body of the* Royalty *of the* Tower *of* London, *having this Day received a moſt Loyal, Learned, and Ingenious Charge by your Worſhip, Do hereby return you our moſt hearty Thanks for the ſame; and*

pray, that you will be pleaſed, to cauſe the ſame to be Printed.

Henry Willoughby.
Henry Dean.
Ralph Arnold.
James Wood.
Peter Gayd.
Tho. Hutchinſon.
Tho. Simmons.
Wm. Hookham.
Will. Higgins.
Sam. Knowles.
James Swaine.
John Smith.
Charles Woolmer.
Wm. Harper.
Wm. White.
John Harper.
Richard Brett.

THE

THE

CHARGE

OF

Sir *John Gonſon* Knt.

Gentlemen of the Grand Jury,

IT is the peculiar Happineſs and Glory of us in *Great-Britain* to be in the ſtricteſt Senſe a free People, and to live under a Conſtitution of Government ſo admirably fram'd, that it ſecures as great Powers and Prerogatives to the Crown, as any wiſe and good Prince can deſire, who will own his People as Subjects and not as Slaves; and at the ſame Time reſerves moſt valuable

vauable Rights and Liberties to the People. There is that due Balance in Property, Power and Dominion in our Conſtitution, that like the ancient Government of *Sparta*, it may be call'd an Empire of Laws, and not of Men. Every Subject of *Great-Britain* has the ſame Right to what he can acquire by his Labour, and Induſtry, as the King hath to his Crown; no Man can be Impriſoned, unleſs he has tranſgreſſed a Law made by the Repreſentatives of his own Chooſing, nor be tried but by a Jury of his Neighbours. A greater Inheritance (ſaith my Lord *Coke*) is derived to us by our Laws, than from our Parents. For without the former what would the latter ſignify?

And as this moſt happy Conſtitution hath been maintained at the Expence of Millions of Treaſure, and came down to us ſwimming in the Blood of our Anceſtors, who always eſteemed it the moſt valuable Legacy, which they could leave to their Poſterity; ſo GOD Almighty, by a kind and over-ruling Providence, hath

ſtill

ſtill preſerved us a free People; our Government having ſtood the Shock of Ages from its Original; particularly of the laſt, when ſo many Attempts were made to turn our limited Monarchy into Tyranny. And this ineſtimable Bleſſing we ought the more to value, if we look Abroad into the Kingdoms, that lie neareſt and are beſt known to us; in ſome of which we ſhall not find the very Shadow of Liberty left; and in many there is no more than the Name of it remaining. *Spain*, *Portugal*, *Sweden*, *Denmark* and *France* were all, an Age or two ago, limited Monarchies, govern'd by Princes well adviſed by Parliaments or Cortes, and not by the abſolute Will of one Man. But now all their valuable Rights and Liberties are ſwallowed up by the arbitrary Power of their Princes; whilſt we, happy *Britons*, are in many Things the Envy as well as the Wonder of other Nations, and almoſt the laſt of the *Northern* Kingdoms of *Europe*, that have preſerved this our ancient and well balanced Government. Remarkable is that Account,

which

which we read of concerning *Monſieur Mezeray*, the famous *French* Hiſtorian, who towards the Cloſe of the laſt Century, diſcourſing with a Perſon of Quality of our own Nation, about the Difference of Government in *France* and *England*, broke out into theſe Expreſſions,

Mr. Hampden.

" We had once in *France* (ſays he) the " ſame Happineſs, and the ſame Privi- " leges, which you have; our Laws " were made by Repreſentatives of our " own Chooſing; our Money was not " taken from us, but by our own Con- " ſent; our Kings were ſubject to the " Rules of Law and Reaſon: But now, " alas! we are miſerable, and all is loſt. " Think nothing, Sir, too dear to main- " tain theſe precious Advantages, and, " if ever there be Occaſion, venture " your Life and Eſtate, and all you " have, rather than ſubmit to the Con- " dition you ſee us reduced to."

THUS ſenſibly did this great Man lament the loſt Liberties of his Country.

As

As to the Excellency, Wiſdom and Juſtice of our Laws, the daily Benefits and Advantages, which we all receive from them, give them a Character beyond all the Rhetorick imaginable.

We of this Age enjoy ſuch a Collection of Bleſſings, as ought to be viewed with the higheſt Sentiments of Joy and Thankſgiving to Almighty GOD. A King upon the Throne form'd for the Happineſs of all, that live under his Government; who is ever Securing and inviolably Maintaining all the legal Rights and Liberties of his Subjects, and whoſe only Ambition is to make them all eaſy and happy. And with ſuch a King we have a moſt Virtuous, Pious and Excellent Queen, and a numerous Royal Progeny, eminent for all princely Virtues and Endowments, promiſing Happineſs to our lateſt Poſterity at diſtant Ages.

GENTLEMEN,

OUR moſt admirable Laws preſerve their Honour, and beſt exert their Power

and Force, by a due, impartial and vigorous Execution, and an equal Diſtribution of Juſtice. And our Lives, Liberties, and Properties, in a great Meaſure, depend upon the due Execution of that great Power, which, by the Wiſdom of our Conſtitution, is intruſted with Grand and Petty Juries. You are therefore ſummoned here, and ſworn to enquire, and preſent to us all ſuch Crimes and Offences, as fall within the Cognizance of this Court.

All Manner of Crimes are preſentable by you, from the higheſt to the loweſt Offences, from High Treaſon to Treſpaſs: But tho' High Treaſon, Petty Treaſon, Burglary, and Felonies of all Sorts are enquirable by you and every Grand Jury; yet becauſe Bills of Indictment for theſe Crimes are ſeldom or never brought before you at this Quarter-Seſſions, but proſecuted at another Place, I ſhall omit to give you in Charge any capital Offences, and confine myſelf to thoſe Offences only, that are both Enquirable and Puniſhable here.

In

In the firſt Place, the Honour and Service of Almighty GOD ought to be our chiefeſt Care. And we ſhould all endeavour, if poſſible, to put a Stop to that Deluge of Profaneneſs, that has ſo overſpread the Nation; and it were happy, if our Holy Religion did not ſuffer, as well from its Enemies Diligence to corrupt our Principles, as from the wicked Lives of its Profeſſors.

Therefore you are to enquire of all Offences againſt the Act of the ninth Year of King William the Third, for the more effectual Suppreſſing Blaſphemy and Profaneneſs; and particularly of all Books and Pamphlets wrote againſt the *Chriſtian* Religion, or the divine Authority of the Holy Scriptures: There are ſeveral late Writers, who go under the Names of *Deiſts*, but are really *Atheiſts*, without GOD in the World, renouncing his Providence, and *even denying the* LORD *that bought them*; pretending

9 & 10 *W.* III. C. 32.

2 Peter ii. 1.

indeed an Enquiry after ſenſible Ideas of the ſpiritual and ſupernatural Truths of eternal Life: Whereas, with all their boaſted Reaſon, they are not able to give an Idea of the Breath of natural Life, nor can tell the Compoſition of the leaſt Pile of Graſs; and yet, by rational Demonſtration, would determine and judge of Things inviſible, which can only be the Objects of Faith in the Word of G O D. Several of theſe Authors deny the Immortality of the Soul, and the future State of Rewards and Puniſhments, and would ſubject Mankind to a Baſeneſs and Wretchedneſs inferior to the worſt of Brutes, and thereby alſo diſſolve the Bond of Security and Peace among all human Societies, and Relations, which can only conſiſt in the Fear of G O D, and the Practice of Religion.

If you cannot find out the Authors, preſent the Printers and Publiſhers of all theſe Wicked and Blaſphemous Books.

You have heard his Majeſty's Proclamation read to you, *for the Encouragement of Piety and Virtue, and for the Preventing and Puniſhing of Vice, Profaneneſs, and Immorality*, and the Cauſing it to be thus publickly read, is one Part of the Duty of the Court, but not the whole; for his Majeſty therein commands his Judges of Aſſize at their Aſſizes, and his Juſtices of the Peace at their General Quarter-Seſſions, to give ſtrict Charges for the effectual Proſecution, and Puniſhment of the Offenders of all Sorts and Kinds mentioned therein: And alſo of all Perſons, that, contrary to their Duty, ſhall be Remiſs and Negligent in Putting theſe good Laws in Execution. The Offences, expreſly mentioned in this moſt Excellent Proclamation, are, Exceſſive Drinking, Blaſphemy, Profane Swearing and Curſing, Lewdneſs, Profanation of the LORD's Day; all publick Gaming, and Gaming-Houſes, and other lewd and diſorderly Practices.

DRUNKEN-

DRUNKENNESS is a Vice, that calls aloud for your Redreſs upon a double Account; 1. Upon a Religious one, as it is an Offence againſt Almighty GOD; and, 2. Upon a Political one, becauſe it reduces whole Families to Poverty and Ruin. One of our Statutes fixes this infamous Character upon the Vice of Drunkenneſs, That it is Odious and Loathſom, the Root and Foundation of Blood-ſhed, Stabbing, Murder, Swearing, Fornication, Adultery, and ſuch like enormous Sins; to the great Diſhonour of Almighty GOD, and of our Nation, the Overthrow of many good Arts and Manual Trades, the Diſabling of divers Workmen, and the general Impoveriſhment of many good Subjects, abuſively Waſting the good Creatures of GOD.

4 *Jac.* I. C. 5.

IF this was a lively Deſcription of the ſad, and fatal Conſequences of this brutiſh Immorality at the Paſſing of this Act, which is above a hundred and twenty Years ago, when the Nation in general was, comparatively ſpeaking, much more

more Virtuous than it is now; What abundant Reaſon have we to do our utmoſt to ſuppreſs this Vice, that is ſo recent amongſt us, and which, daily Experience ſhews, often drowns the beſt Natural Parts, and renders Men wholly unſerviceable to the Community?

A common Drunkard is Indictable in Seſſions, as well as Puniſhable in a ſummary Way; and yet we ſeldom hear of any Offenders of this Kind preſented by Grand Juries, notwithſtanding this Offence is ſo common and notorious.

A common Swearer is a Nuſance to the Place where he lives. I am ſorry, that it is ſtill too true, what that great and good Man, Arch-Biſhop TILLOTSON, ſays in a Sermon againſt Swearing, That a Man cannot walk the Streets without having his Ears grated with this helliſh Noiſe. We may juſtly wonder at the Patience and merciful Forbearance of our Great GOD, in not Puniſhing theſe impious Wretches, by an immediate Stroke

Stroke of his Almighty Vengeance, in not Sinking them quick into that irrecoverable State of Damnation, which they ſo often and earneſtly imprecate upon themſelves, for the Confirmation of ſome trifling Matter, and ſometimes of a downright Falſhood. And as this is a Sin very Diſhonourable to GOD; ſo it is in this Particular extreamly Dangerous to human Societies: For profane Curſing and Swearing contributes much to the Growth of Perjury. Oaths are little minded, when common Uſe has ſullied them, and every Minute's Repetition has made them cheap and common. Who can believe, that a Man, who hourly provokes GOD by raſh and vain Swearing, ſhould ſtick at a falſe Oath, whenever his Ambition, his Covetouſneſs, or his Revenge prompt him to it, and importunately demand to be gratified, tho' at ſo vaſt a Price? Beſides, At how low a Rate do ſuch Men value their Souls, who expoſe them to the Wrath of GOD, and Eternal Damnation, by a

Sin

Sin, from which they cannot reap the leaſt Profit or Pleaſure?

If any Conſtables are Remiſs or Negligent in their Duty, in Taking up and Giving Information againſt theſe Offenders, it is your Duty to Preſent ſuch Conſtables, that they may be Puniſhed and Fined.

The Profanation of the LORD's Day is of late very Notorious, and yet pleaded for by ſome amongſt us as Warrantable. Whatever Diſputes there may be about the Morality of the Fourth Commandment, it is generally agreed amongſt pious Chriſtians, that this Day ought to be devoutly and religiouſly obſerv'd and kept holy: This the *Homilies* of our Church, and our Laws require. The Lord Chief Juſtice Hale, who was an excellent Chriſtian as well as a great Lawyer, made it his Obſervation, that the more ſtrictly he kept *Sunday*, the better Succeſs he always had in his worldly Affairs the Week following.

1 *Car.* I. C. 1.
3 *Car.* I. C. 2.
29 *Car.* II. C. 7.

His Life by Dr. *Burnet* late Biſhop of *Sarum*.

1 *Eliz.* C. 2.
23 *Eliz.* C. 1.
3 *Jac.* I. C. 4.
1 *W.* & *M.*
Seſſ. 1. C. 18.

YOU are to preſent to this Court, all ſuch Perſons who do not come to Church, or ſome Religious Meeting, allow'd by Law, every *Sunday*.

5 *Eliz.* C. 9.

YOU are to enquire of Perjury, and Subornation of Perjury, which, as I obſerved before, does, in a great Meaſure, owe its dreadful Encreaſe to the impious Cuſtom of profane Curſing and Swearing in common Converſation. Theſe Offences of Perjury, and Subornation of Perjury, are more Heinous, and deſerve a ſeverer Puniſhment, becauſe they are committed with Thought and great Deliberation, and carry along with them a high Affront to the Majeſty of GOD, and great Injuſtice and Injury to Men; the Conſequences of them are the Ruin of innocent Perſons, who ſometimes loſe their Lives, and often their Eſtates, and good Names, by the falſe Oaths of perjured Wretches.

ALL theſe in their Nature are more immediate Offences againſt Almighty GOD,

GOD, and his Holy Religion eſtabliſhed amongſt us.

You are likewiſe to enquire of ſuch Offences, as are committed againſt your Neighbours, or Fellow Subjects, and which Injure them in their Perſons, their Properties, or their Reputations.

You are to enquire of Petty Larceny, which is Stealing any Thing under the Value of twelve Pence.

You are alſo to preſent all Aſſaults, Batteries, Affrays; and in general, all Breaches of the Peace, all forcible Entries, and Detainers of Lands and Tenements by Force.

A forcible Entry is, where one or more Perſons, with Weapons not uſually born, have violently entered into the Houſe or Land of another; or where one or more have entered peaceably, the Door being open, and there have forcibly put another out of Poſſeſſion.

5 *R.* II. C. 7.
15 *R.* II. C. 2.
8 *H.* VI. C. 9.
31 *Eliz.* C. 11.
21 *J.* I. C. 15.

A forcible Detainer is, where one or more have entered peaceably into the

Houſe, or Land of another, and then have detained the Poſſeſſion thereof with Force and Arms.

You are to enquire of all Riots, Routs and unlawful Aſſemblies.

A Riot is, where three Perſons or more are met together to do an unlawful Act; as to beat a Man, lay open his Fence, and the like, and have done the ſame.

34 *E.* III. C. 1.
17 *R.* II. C. 8.
13 *H.* IV. C. 7.
19 *H.* VII. C. 13.

A Rout is, where three Perſons or more have met together to do an unlawful Act, and move from the Place where they firſt met, but afterwards part without doing the Act.

An unlawful Aſſembly is, when three Perſons or more meet together to do an unlawful Act, and part without doing the ſame, or Moving forward for that Purpoſe.

You are to preſent all Foreſtallers, Regrators, and Ingroſſers. Theſe our Laws eſteem great Offenders, who without any real Cauſe, enhance the Price of Corn, and other Victuals,

5 & 6 *Ed.* VI. C. 14.

Victuals, and thereby occaſion Uneaſineſs, Diſcontent, and Murmuring, eſpecially among the lower Sort of People.

FORESTALLING is, Buying up Commodities by the Way, before they come to Market.

REGRATING is, Buying Corn or other Victuals, in the Market, and Selling it again in the ſame Market, or in any other within four Miles.

ENGROSSING is, Buying up great Quantities of Corn, or other Victuals, and Selling the ſame again.

THESE Offenders, for the firſt Offence, forfeit the Value of the Goods, and are to ſuffer two Months Impriſonment: For the ſecond Offence, double the Value of the Goods, and ſix Months Impriſonment: And for the third Offence they ſhall forfeit all their Goods, ſtand in the Pillory, and be Impriſoned during the King's Pleaſure.

YOU are to enquire of Barretry, Maintenance, Champerty, and Embracery: Theſe are alſo great Crimes, and

it

Houſe, or Land of another, and then have detained the Poſſeſſion thereof with Force and Arms.

YOU are to enquire of all Riots, Routs and unlawful Aſſemblies.

34 *E.* III. C. 1. 17 *R.* II. C. 8. 13 *H.* IV. C. 7. 19 *H.* VII. C. 13.

A Riot is, where three Perſons or more are met together to do an unlawful Act; as to beat a Man, lay open his Fence, and the like, and have done the ſame.

A Rout is, where three Perſons or more have met together to do an unlawful Act, and move from the Place where they firſt met, but afterwards part without doing the Act.

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THESE Offenders, for the firſt Offence, forfeit the Value of the Goods, and are to ſuffer two Months Impriſonment: For the ſecond Offence, double the Value of the Goods, and ſix Months Impriſonment: And for the third Offence they ſhall forfeit all their Goods, ſtand in the Pillory, and be Impriſoned during the King's Pleaſure.

YOU are to enquire of Barretry, Maintenance, Champerty, and Embracery: Theſe are alſo great Crimes, and

it

it is Pity, that they are not oftner proſecuted.

33*E.*I. Stat.2.

BARRETRY is, Stirring up of Suits and Quarrels amongſt the King's Subjects, which otherwiſe would be in Peace.

1*E.*III. C.14.
20*E.*III. C.4.
1 *R.* II. C. 4.

MAINTENANCE is, the Taking in Hand, Bearing up, or Upholding of Quarrels, or Sides, to the Diſturbance or Hinderance of common Right.

33*E.*I. Stat.2.
3 *Ed.* I.C.25.
33*E.*I. Stat.3.

CHAMPERTY is, the Maintaining and Carrying on of Suits and Cauſes, at their own Coſt and Charges, to have Part of the Land or Thing in Queſtion, or Part of the Gains.

38 *E.* III. C. 12.
Noy's *Reports*, Fol. 102.

EMBRACERY is, and an Embracerer is, one, that, when a Matter is at Trial, comes for a Reward to the Bar, being no Lawyer nor Witneſs, and ſpeaks in Favour of one of the Parties, or labours the Jury, or uſes any unlawful Practice, to make them give their Verdict as he would have them.

YOU

You are to preſent all Bawdy-houſes, Gaming-houſes, diſorderly Houſes, and unlicenſed Alehouſes. Thoſe Houſes and Shops, where People frequently get drunk with *Geneva*, or other ſpirituous Liquors, are Indictable as diſorderly Houſes, whether they have or have not Licences.

Nothing is more Deſtructive either to the Health or Induſtry of the poorer Sort of People, on whoſe Labour and Strength the Support of the Community ſo much depends, than the immoderate Drinking of *Geneva*. It is common for a ſtarving Sot, intoxicated with this or the like Liquors, to behold his Rags and Nakedneſs with a ſtupid Indolence, and either in ſenſeleſs Laughter, or in low and inſipid Jeſts, to banter all Prudence and Frugality, drowning his pinching Cares, and loſing, with his Reaſon, all anxious Reflections on a Wife, or Children, perhaps crying for Bread in a horrid empty Home. In hot Tempers, it lets looſe the Tongue to all the Indecencies

cies and Rudeneſs of the moſt provoking Language, as well as the moſt helliſh Oaths and Curſes, and is frequently followed by Quarrels and Fightings, and ſometimes has been the Cauſe of Murder. Beſides all this, theſe Houſes and Shops are the Receptacles of Thieves and Robbers, and often the Original of them too: For when a Wretch has ſpent and waſted that, which ſhould ſupport himſelf, and his family, it is here, that they Aſſociate and turn Houſe-Breakers, and Street-Robbers, and ſo, by quick Progreſſions, at laſt make an Exit at the Gallows.

Our Laws have not only taken a great Deal of Care to puniſh all Breaches of the Peace; but alſo in ſeveral Inſtances what only tends to a Breach of the Peace, as Challenging another to Fight. Alſo all Libels againſt private Perſons are Indictable: For it is as juſt, that Reputation ſhould be guarded and defended by Law, as that Property ſhould.

THEREFORE Writing a ſcandalous Letter concerning any one, directed either to the Party himſelf, or to a third Perſon, is puniſhable in this Court; and putting ſuch a Letter into the Poſt, hath been adjudged a Publication of the Libel.

YOU are to enquire if the Clerk of the Peace, Coroner, Gentleman-Goaler, and all other Officers of this *Royalty*, perform their reſpective Duties.

WHETHER they, or any other judicial Officers, are guilty of Bribery, by Taking Gifts or Rewards to pervert Juſtice; or are guilty of Extortion, by Taking Fees, where none are due, or before they are due; or greater Fees than by Law are due to them; and particularly enquire of the Extortion of Goalers and Bayliffs.

YOU are to enquire, whether the Offenders ſent to the Houſe of Correction are ſet to work as they ought, and receive their due Puniſhments; and whether the Governour or Keeper thereof doth his Duty therein; of which a

cies and Rudeneſs of the moſt provoking Language, as well as the moſt helliſh Oaths and Curſes, and is frequently followed by Quarrels and Fightings, and ſometimes has been the Cauſe of Murder. Beſides all this, theſe Houſes and Shops are the Receptacles of Thieves and Robbers, and often the Original of them too: For when a Wretch has ſpent and waſted that, which ſhould ſupport himſelf, and his family, it is here, that they Aſſociate and turn Houſe-Breakers, and Street-Robbers, and ſo, by quick Progreſſions, at laſt make an Exit at the Gallows.

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true Account is to be render'd every Quarter-Seſſions.

If any Conſtables omit or neglect to make Preſentments to this Court of any Annoyances, common Nuſances, or notorious Offences in their reſpective Neighbourhoods; you ought to preſent ſuch Conſtables.

You are alſo to preſent all treaſonable and ſeditious Libels againſt his Majeſty, and his Miniſters of State, or other great Men, or Magiſtrates; theſe are Indictable at common Law.

You are to enquire of all publick Nuſances, the Want of due Repairs in common Highways, Streets, and Pavements. But I refer you, for a more diſtinct and particular Account of theſe Offences, to my Charge given to the Grand Jury of the City and Liberty of *Weſtminſter*, at the laſt *Eaſter* Quarter-Seſſions held there, which that Court was pleaſed to Order to be Printed and Publiſhed; a Copy of which I have directed

directed to be given to each of you, GENTLEMEN, who are ſworn upon this Grand Jury, for your Uſe on this preſent, or any future Service of this Kind.

GENTLEMEN,

THE Oath, that you have taken, obliges you to preſent all ſuch Matters and Things, as come to your Knowledge, touching this preſent Service, as well as ſuch Offences that ſhall be given you in Charge; and by the Statute of the Third of King HENRY the Seventh, if a Grand Jury Conceal any Thing, which they ought to preſent, the Juſtices may, within a Year, impanel another Jury to enquire of ſuch Concealment, and upon Conviction, fine every one of the former Jury at the Diſcretion of the Court: So earneſtly the Law inſiſts upon your doing your Duty. Therefore you muſt preſent all Nuſances, Annoyances, Houſes of Lewdneſs, and common Gaming; diſorderly *Geneva*-ſhops, common Gameſters, common Drunkards, and Diſturbers

3 *H.* VII. C. 1.

bers of the Peace, and all other Offenders within this *Royalty*, as far as ſhall come to the Knowledge of any of you; which if you neglect to do, and leave any unpreſented for Love, Favour, or Affection, Gain, Reward or Hopes thereof, you'll break your promiſſory Oath; I mean, that ſolemn Appeal you lately made to the GOD of Truth, who will not fail to avenge it upon your ſelves, and your Families; *for he will not hold him guiltleſs, who takes his Name in vain.* But that you may the better keep your Oaths, and Diſcharge your Duty with the greater Sincerity and Diligence, let me adviſe you ſeriouſly to think of the General Appearance, which we muſt all one Day make before the Awful Tribunal of the Great GOD, in Compariſon of which, the moſt Solemn and Auguſt Judicature here upon Earth (tho' it may feintly Repreſent it to our Thoughts) is but a Piece of formal and vain Pageantry.

FINIS.